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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 002744

SIPDIS

DEPARTMENT FOR EUR/SE

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SUBJECT: EU ANKARA OFFICE PREPARING KEY REPORT

Classified by Polcouns John Kunstadter; reasons 1.4 b and d.

¶1. (C) Summary: The EU Commission office in Ankara is preparing the first draft of a report that will guide the Council when it reviews Turkey's candidacy at the December Summit. Contacts say the report -- to be released September 29 -- will significantly influence the Council's decision, though it is not clear whether it will include an explicit recommendation on whether to open accession negotiations with Turkey. The report will provide examples of meaningful human rights reform in areas such as freedom of speech, but will also point out chronic problems such as religious freedom and Kurdish cultural rights, and note that some adopted reforms have not been implemented. Ankara-based European diplomats predict the EU in December will decide to open negotiations. End Summary.

Report Due Out Sept. 29

¶2. (U) The Turkey Representation of the EU Commission is preparing the first draft of the 2004 Regular Report on Turkey, which will express the Commission's view of where Turkey stands in its efforts to meet the Copenhagen Criteria for EU membership. The Regular Reports are not binding on the EU Council, but they can influence the Council's decision on whether to open accession negotiations with a candidate country. This year's Turkey report is scheduled to be released September 29, just before a new Commission takes office in Brussels. The EU Council will determine at the December Summit whether to set a date to begin accession talks with Turkey.

Report Will Influence Council

¶3. (C) The Regular Reports provide a score sheet on the accomplishments and shortcomings of candidate countries as they enact human rights reforms required for EU membership. They also may include an explicit recommendation to the Council on whether to open accession talks with a candidate country. Given the controversy in Europe over Turkey's candidacy, many of our contacts among Eurodiplomats say their governments will look to the Commission's report to provide political cover for whatever decision the EU makes at the Summit. Some, however, believe the Commission will avoid making a clear call on whether Turkey should be offered a negotiation date, leaving the Council alone to take the heat for whatever decision it makes.

¶4. (C) Martin Dawson, head of the Political Section of the Commission's Turkey Representation, told us the decision on whether to make an explicit recommendation to the Council will be made in Brussels at the top levels of the Commission, ultimately by Enlargement Commissioner Verheugen. Dawson said Verheugen has given ambiguous signals about his intentions, stating that the Commission will make a recommendation, while also saying the recommendation "is not limited to a black or white decision." If the Commission does make a clear recommendation, it is likely to have a strong influence on the Council in December. The Council went against Commission recommendations when it agreed to accept Greece as a member in 1981. However, that was before the establishment of the Copenhagen Criteria; membership standards are more stringent today. Moreover, the Council came to regret its decision on Greece; the early years of Greek membership were a disaster that no one wants to repeat, Dawson said.

GOT's Record Mixed

15. (C) Any recommendation in favor of opening accession talks with Turkey will have to be based on concrete progress toward meeting the accession criteria, Dawson said. Though strategic arguments about Turkey's importance will influence European leaders at the Summit, they will not serve as the formal basis for a decision. "Talking about Turkey as a bridge between East and West, etc., will not wash with the Turkey skeptics," he said. The Regular Report will provide plenty of fodder for both Turkey's critics and supporters. It will reflect GOT success in adopting legislative reforms, while also pointing out areas where needed reforms have not been enacted, or where the bureaucracy has blocked implementation. Sema Kilicer, political officer at the EU Commission Representation, is responsible for compiling the information on Turkey's performance. She said freedom of speech is one of the areas where Turkey will earn high marks.

The GOT has enacted a number of amendments relaxing speech restrictions, and there has been a notable decrease in arrests and prosecutions for speech crimes. Religious freedom, however, is one of the areas where Turkey has made little progress. In particular, non-Muslim groups continue to face harassment from police and local authorities and have difficulty establishing places of worship. Turkey also faces problems in the area of Kurdish cultural rights. Though Kurdish language schools have opened under the recent reforms, there are still no Kurdish-language broadcasts despite legal amendments removing restrictions. Still, Kilicer said, none of the successful candidate countries were in 100 percent compliance with the Copenhagen Criteria when they began accession talks. Council members in December will look for elements of the Regular Report that support the political decision they want to make on Turkey.

16. (C) EU Commission officials and member-state diplomats in Ankara almost uniformly believe Turkey will be offered a negotiation date in December. Our GOT interlocutors also tell us they have been getting increasingly positive EU signals of late. A number of European diplomats have told us there is talk in the EU of setting a date to begin accession talks with Turkey, while at the same time stating that Turkey will have to enact further political reforms before becoming a full member. A Dutch diplomat told us this concept reflects the EU's mixed feelings about Turkey. Many fear that a refusal to set a negotiation date could derail the GOT's human rights reform efforts. But the EU traditionally shifts its focus to economic issues once accession talks begin, so by setting a date the EU could lose its ability to press for political reforms. A contact in the Irish Embassy opined that such attempts to find a middle ground between "yes" and "no" will amount to little. Turkey has earned enormous credit for its efforts in support of a Cyprus settlement. The EU in 2003 agreed that if Turkey met the criteria in December 2004 the EU would open negotiations "without delay." The Council, he predicted, will be compelled to start negotiations. Once Turkey starts on that path it will be held to the same standards as the 10 nations that acceded on May 1.

Comment

17. (U) Though the views of our contacts about Turkey's EU prospects are encouraging, we recognize that they may be out of touch with political developments in Europe. It does appear that Turkey's EU candidacy has gained significant momentum with European governments. At the same time, we are aware that European public opinion is highly skeptical. We continue to stress with GOT contacts that success in December is not assured, and to urge them to continue the reform effort in order to bolster Turkey's case.

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